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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/763,101

01/22/2004

Takahiro Ibe

0553-0395

7438

7590

12/01/2005

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EXAMINER

PATEL, VIP

ART UNIT

PAPER NUMBER

2879

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

UK

Office Action Summary	Application No.	Applicant(s)	
	10/763,101	IBE, TAKAHIRO	
	Examiner	Art Unit	
	Vip Patel	2879	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>0604</u> . | 6) <input type="checkbox"/> Other: ____. |

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eguchi et al (US 4741976) and common knowledge in the art.

Eguchi discloses an EL device (see figure 5) comprising a substrate (50), a first electrode (1), a first EL film (4), a second electrode (3), a second EL film (5), a third electrode (2). Regarding functional limitation as to how the electrodes functions, since Eguchi's EL device disclose all the physical features of the claimed device, it must behave or function similar to the claimed device. Also, in order to obtain emission from EL films, it is inherent that two of the electrodes, for example 1 and 2 have similar potential and electrode 3 have opposite potential. Therefore electrodes 1 and 2 may be connected to provide same potential. Also, depending on application of positive or negative potential to the electrodes, these electrodes functions as anodes or cathodes.

Regarding claim 5, providing or combining of plurality of known elements/devices (multiplication of parts) to obtain multiplied results has been ruled to be not novel. Thus, providing of anode, EL film, and cathode as evidenced above in stacks thereof is ruled to be not novel.

Regarding claims 6-8, in lines 25, 37, and 43 of column 3, Eguchi discloses combinations of transparent and transmissive electrodes in order to view light/display from certain side of a display.

Regarding claim 9, in lines 53-56 of column , Eguchi discloses differing EL films as claimed in claim 9.

Regarding claim 10, providing of red, green, and blue (RGB) EL film is know in the art for obtaining color display. Such common knowledge is evidenced by Burrows et al in US 5917280.

Regarding claims 11-12, given the electrodes of Eguchi serves the purpose proposed by the applicant and the applicant's disclosure fails to show such limitations to solve any problems or to yield any unobvious advantage that is not within the scope of the teachings applied. Therefore, such limitations would be a matter of design alternative.

Regarding claims 13-14, EL device of Eguchi is a flat panel/flat display device and therefore it may very well be used as a screen for compact video recording/display device.

Other Prior Art Cited

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

May et al, in US 6188175, disclose an electroluminescent device.

Burrows et al, in US 5917280, disclose stacked OLED.

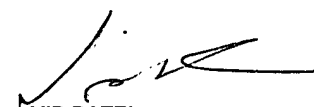
NOTE TO APPLICANT;
APPLICANT IS REQUESTED TO PROVIDE SERIAL NUMBERS FOR ANY
RELATED PENDING APPLICATIONS.
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vip Patel whose telephone number is (571) 272-2458. The examiner can normally be reached on Monday-Thursday. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Art Unit: 2879

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



VIP PATEL
PRIMARY EXAMINER
ART UNIT 2879